

## REMARKS

Claims 1-7 are pending in this application. Claims 1 and 3-5 were rejected based on Karaoguz in view of Lee. Claims 2, 6 and 7 were rejected based on Karaoguz in view of Lee and additional references. Claims 1 and 5 are currently amended. Reconsideration is requested.

The presently claimed invention distinguishes the cited references because the access point selects only a subset of the collected bid messages, and consequently associates with only a subset of stations bidding to become associated with the access point in a given auction cycle. One advantage of this technique is mitigation of hunting-roaming and forced overload of access points. The cited references teach the well known technique according to which an access point accepts every station which attempts to become associated that access point. In this case the messages sent by the station are “probes”<sup>1</sup> and “reassociation requests”<sup>2</sup>, which differ from bids because they cannot be denied by the receiving access point. Claim 1 therefore distinguishes the cited references by reciting “selecting only a subset of the bid messages based at least in part on the parameter related to distance” (emphasis added). Claim 5 recites similar language. Claim 7 further limits the distinction by reciting “selecting the bid from the station having the lowest data rate,” (emphasis added) i.e., the subset is a single bid message. Claims 2-4 and 6 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims.

With regard to the rejections of claims 1, 5-7 under 35 U.S.C. §112, Applicant apologizes for mistakenly referencing the corresponding procedures implemented by STAs. The procedures implemented by the AP which support the claim amendments are in the Specification in the

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<sup>1</sup> See Lee at para 0016

<sup>2</sup> Id. and para 0017

section entitled “AP Auction,” beginning at page 41. The first sentence in that section is “[t]he purpose of the Auction is to accomplish the distribution of STAs 16 across APs 12 in a manner that optimizes wireless communication performance,” which along with Fig. 3 supports the limitation “at each of a plurality of access points within communication range of stations.” At page 42, second full paragraph, “[t]he AP 12 selects the bid entries with the highest biased distance delta values, up to acceptsPerAuction entries, and sends a DRCP Accept message to each of the STAs 16 corresponding to those entries (step 360),” supports the limitation of selecting a bid message based in-part on a parameter related to distance. At the bottom of page 53 is an algorithm illustrating that data rate is a function of distance and other factors. Figure 21, steps (358) and (360) illustrate that the AP sorts the bids by biased\_distance\_delta value, and then sends DRCP Accept messages to the bid entries with the **highest** biased delta values, which supports the limitation of selecting the bid message from the station having the lowest data rate. Note also that Figure 21, step (360) recites “up to acceptPerAuction entries,” which supports the limitations added in this amendment, i.e., selecting only a subset of bids.

With regard to the objection to claim 1 for the phrase “that access point” in line 6, Applicant is unable to find any lack of clarity. The claim recites “at **each of a plurality of access points** within communication range of stations, repeatedly executing the steps of: collecting bid messages from stations not currently associated with **that** access point ... .” It seems clear to Applicant that “that access point” is one of the plurality of access points. Reconsideration is therefore requested.

For the reasons discussed above, and in view of the claim amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited. The Examiner is encouraged to contact Applicants' Attorney at the number listed below to discuss any matters which might expedite prosecution of this application.

Respectfully Submitted,

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Date

/Holmes W. Anderson/  
Holmes W. Anderson, Reg. No. 37,272  
Attorney/Agent for Applicant(s)  
McGuinness & Manaras LLP  
125 Nagog Park  
Acton, MA 01720  
(978) 264-6664

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